

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Nakita A. Shelton

Docket No. 5:13-MJ-2066-1

Petition for Action on Probation

COMES NOW Robert K. Britt, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Nakita A. Shelton, who, upon an earlier plea of guilty to Driving While Impaired - Level 5, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on January 7, 2014, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall surrender North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Ms. Shelton is a resident of Raeford, North Carolina, and has been supervised in the Middle District of North Carolina during the probationary term. According to her supervising officer, Shelton has failed to complete the treatment as recommended by the substance abuse assessment, failed to complete her community service, and failed to satisfy the court ordered monetary obligation. Their office attributes part of this non-compliance to financial difficulties experienced by the defendant. They have recommended that the term of probation be extended for a period of 12 months to allow her to comply. Our office agrees with this recommendation.

The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended 12 months from the expiration date of January 6, 2015, until January 6, 2016.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: November 19, 2014

ORDER OF COURT

Considered and ordered this 19th day of November, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge